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HOUSE JOINT RESOLUTION 468
By Cooper B

A RESOLUTION to memorialize the Congress of the United States to take appropriate action to have those portions of Article I, Section 2 of the U.S. Constitution which were modified or superseded by Amendments XIV and XVI edited from future printings of the U.S. Constitution.

WHEREAS, the Constitution of the United States was drafted during a period of our history when portions of the population were enslaved because of race and color; and

WHEREAS, the founders wrote into the language of Article I, Section 2[3] of the Constitution relating to apportionment of seats in the U.S. House of Representatives language which reads: "Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons."; and

WHEREAS, a civil war was fought to eliminate the institution of slavery and affirm the unity of the states in a federal relationship; and

WHEREAS, when Amendment XIV was adopted and ratified, Section 2 of the amendment eliminated language relating to the three-fifths ratio for non-free persons; and

WHEREAS, in 1913, Amendment XVI made the language relating to apportionment and enumeration formulas inapplicable to direct taxes; and

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WHEREAS, although bracketed and annotated, the original sentence quoted in the second paragraph of this resolution continues to appear in copies of the U.S. Constitution as a continuing reminder of a blighted period in the history of this nation; and

WHEREAS, this language is an affront to a significant portion of the citizenry of the United States, serving as a reminder of a time of suffering and injustice experienced by their ancestors; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE-HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That this General Assembly requests the Congress of the United States to take appropriate action to require that the language quoted in paragraph two of this resolution and found in Section 2, subsection 3 of Article I of the U.S. Constitution not appear in the main body of the text of Article I, Section 2 in future printings of the U.S. Constitution.

BE IT FURTHER RESOLVED, That such language should appear only in appropriate annotations relating to the history notes of Article I, Section 2 and Amendments XIV and XVI.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to each member of the U.S. Congressional delegation from Tennessee, to each member of Congress, to the Speaker and Clerk of the U.S. House of Representatives, the President and Secretary of the U.S. Senate, and the presiding officers of each state legislative chamber.